

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

**CAROL D. DRAEHN and LARRY R.
DRAEHN,**

Plaintiffs,

v.

Civil Action No. **3:16-CV-0248-L**

**WILMINGTON TRUST NATIONAL
ASSOCIATION, CARRINGTON
FORCLOSURE SERVICES LLC,
SHELLPOINT MORTGAGE
SERVICING, and MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS INC.,**

Defendants.

ORDER

Before the court is Defendant Mortgage Electronic Registration Systems, Inc.’s Motion for Final Summary Judgment (Doc. 27), filed August 2, 2016. On December 16, 2016, United States Magistrate Judge Paul D. Stickney entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”), recommending that the district court grant Defendant Mortgage Electronic Registration Systems, Inc.’s Motion for Final Summary Judgment and dismiss all claims with prejudice.

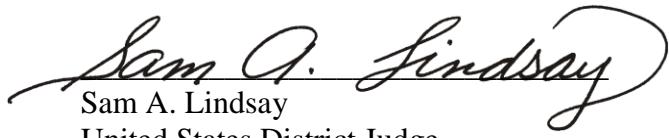
Plaintiffs filed an objection but do not specify whether it pertains to the Report. Plaintiffs’ objection appears to relate to the initial Findings and Conclusions of the Magistrate Judge (“Initial Report”) (Doc. 47), issued on December 7, 2016. The Initial Report recommended that the action be dismissed without prejudice for Plaintiffs’ failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b), as Plaintiffs failed to update their address despite repeated warnings from the

court. Plaintiffs' objection points out that the clerical error has been corrected. This objection is moot, as the Initial Report was vacated by an order (Doc. 51) issued on December 15, 2016.

Having reviewed the motion, record in this case, applicable law, Report, and conducting a *de novo* review of Plaintiffs' objection, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court.

Accordingly, the court **overrules as moot** Plaintiffs' objection; **grants** Defendant Mortgage Electronic Registration Systems, Inc.'s Motion for Final Summary Judgment; and **dismisses with prejudice** all claims that Plaintiff asserts against it.

It is so ordered this 17th day of January, 2017.



Sam A. Lindsay
United States District Judge